

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CURTIS LEE HENDERSON,

No. C 02-5427 SBA (PR)

Plaintiff,

ORDER

v.

(Docket No. 60)

T. SCHWARTZ, et al.,

Defendants.

Plaintiff filed an "Emergency Petition for Writ of Mandate" on August 11, 2005, which alleges that he is being denied access to the law library to conduct legal research for his opposition to Defendants' Motion to Dismiss filed on June 30, 2005. Plaintiff claims that his opposition is due no later than August 30, 2005, which is sixty days from the date Defendants' Motion to Dismiss was filed. However, in the Court's Order dated March 31, 2005, Plaintiff was directed to file his opposition no later than thirty days from the date Defendants' dispositive motion was filed. (See March 31, 2005 Order at 4.) Therefore, Plaintiff's opposition was due on August 1, 2005. Because Plaintiff's deadline has passed, Court will construe Plaintiff's "Emergency Petition for Writ of Mandate" as request for an extension of time in which to file his opposition on the grounds that his law library access is limited at the prison where he is incarcerated. Plaintiff has requested no previous extensions of time. Having read and considered Plaintiff's request and the accompanying declaration filed by Plaintiff, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED. The time in which Plaintiff may file his response to Defendants' Motion to Dismiss will be extended up to and including **September 30, 2005**.

IT IS SO ORDERED.

DATED: 8/15/05

Claudia Wilken for
SAUNDRA BROWN ARMSTRONG
United States District Judge